

BOARD OF APPEAL REFERRALS

August 17, 1978

1. Z-4217 Robert E. Bartlett, Trustee
390 Commonwealth Avenue, Boston
2. Z-4222 Dominic F. Tello
256-258 North Street, Boston
3. Z-4229 Passionist Missionary Society of Boston, Inc.
159 Washington Street, Brighton
4. Z-4237 Benjamin S. Blake III
476 Shawmut Avenue, Boston
5. Z-4238-4240 Trustees of Bay Colony Property Co.
Trustees of Carlton House Trust
2-4-6-8-10 Commonwealth Avenue,
14-15 Arlington and 1-5 Newbury Streets,
and 4-6 Newbury Street, Boston

MEMORANDUM

August 17, 1978

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: Kane Simonian, Secretary
SUBJECT: BOARD OF APPEAL REFERRALS

Hearing: 9/12/78

Z-4217

Robert E. Barrett, Trustee
390 Commonwealth Avenue, Boston
near Charlesgate East

Seven-story structure

District(s): apartment H-5-70 general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: to change occupancy from general office building, restaurant, and commercial facilities to general office building, restaurant, commercial facilities, and television studio.

Violation(s):

<u>Section</u>	<u>Required</u>	<u>Proposed</u>
8-7. Television studio is forbidden in an H-5-70 district.		

The proposed Channel 68 UHF television studio would occupy approximately 1500 square feet of its general executive offices on the ground floor of the structure. Live programming would be limited to news, community and other public affairs. Transmission antenna would be located elsewhere in the city. Arrangements have been made to provide off-street parking at adjacent garage. Recommend approval.

VOTED: In reference to Petition Z-4217, brought by Robert E. Barrett, Trustee, 390 Commonwealth Avenue, Boston, for a forbidden use for a change of occupancy from general office building, restaurant, and commercial facilities to general office building, restaurant, commercial facilities, and television studio in an apartment (H-5-70) district, the Boston Redevelopment Authority recommends approval. Neighborhood association has indicated support. Arrangements have been made to provide off-street parking.

Board of Appeal Referrals 8/17/78

Hearing: 8/ 29/78

Z-4222

Dominic F. Tello
256-258 North Street, Boston
near Lewis Street

Five-story structure

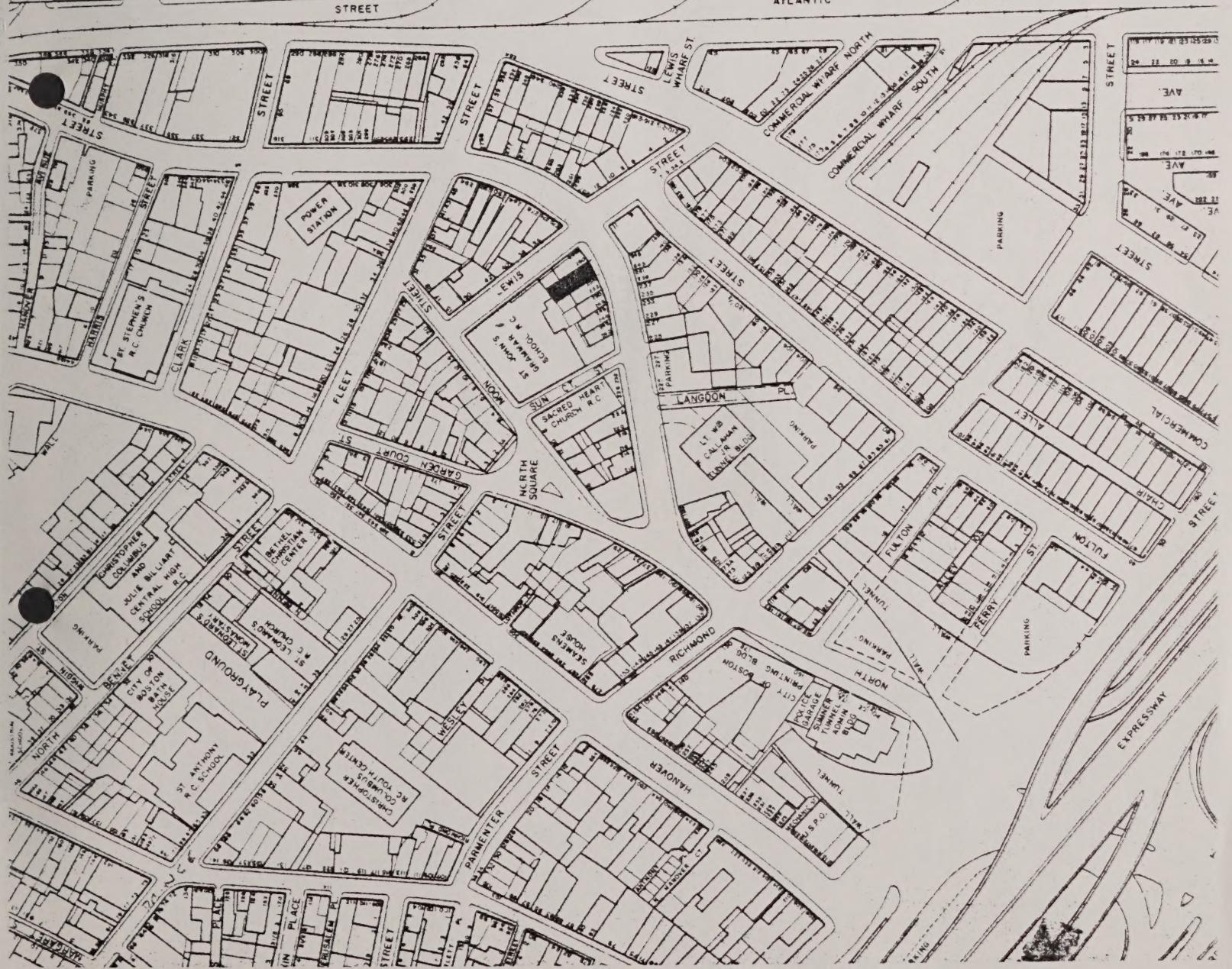
District(s): apartment H-3 general business _____
residential _____ local business _____ industrial _____
single family _____ waterfront _____
manufacturing _____Purpose: to change occupancy from four apartments and store to four
apartments and laundromat.

Violation(s):

<u>Section</u>	<u>Required</u>	<u>Proposed</u>
9-2 A change in a nonconforming use requires Board of Appeal hearing.		

Store, located in a mixed-use area, is presently vacant and boarded up.
Proposal would provide a beneficial service. Recommend approval with provisos.

VOTED: In reference to Petition Z-4222, brought by Dominic F. Tello, 256-258 North Street, Boston, for a change in a nonconforming use for a change of occupancy from four apartments and store to four apartments and laundromat in an apartment (H-3) district, the Boston Redevelopment Authority recommends approval with the following provisos: that an attendant be on duty at all times; that the facility be sufficiently sound-insulated so as not to affect residential units; that hours of operation be from 8 A.M. to 9 P.M. Monday through Saturday.



Board of Appeal Referrals 8/17/78

Hearing: 8/29/78

Z-4229

Passionist Missionary Society of Boston,
Inc.

159 Washington Street, Brighton
at Monastery Road

Religious complex

District(s): apartment H-2 general business _____ industrial _____
residential R-.5 local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: to change occupancy of monastery to university dormitory for
50 students and rectory to university dormitory for 100 students.

Violation(s):

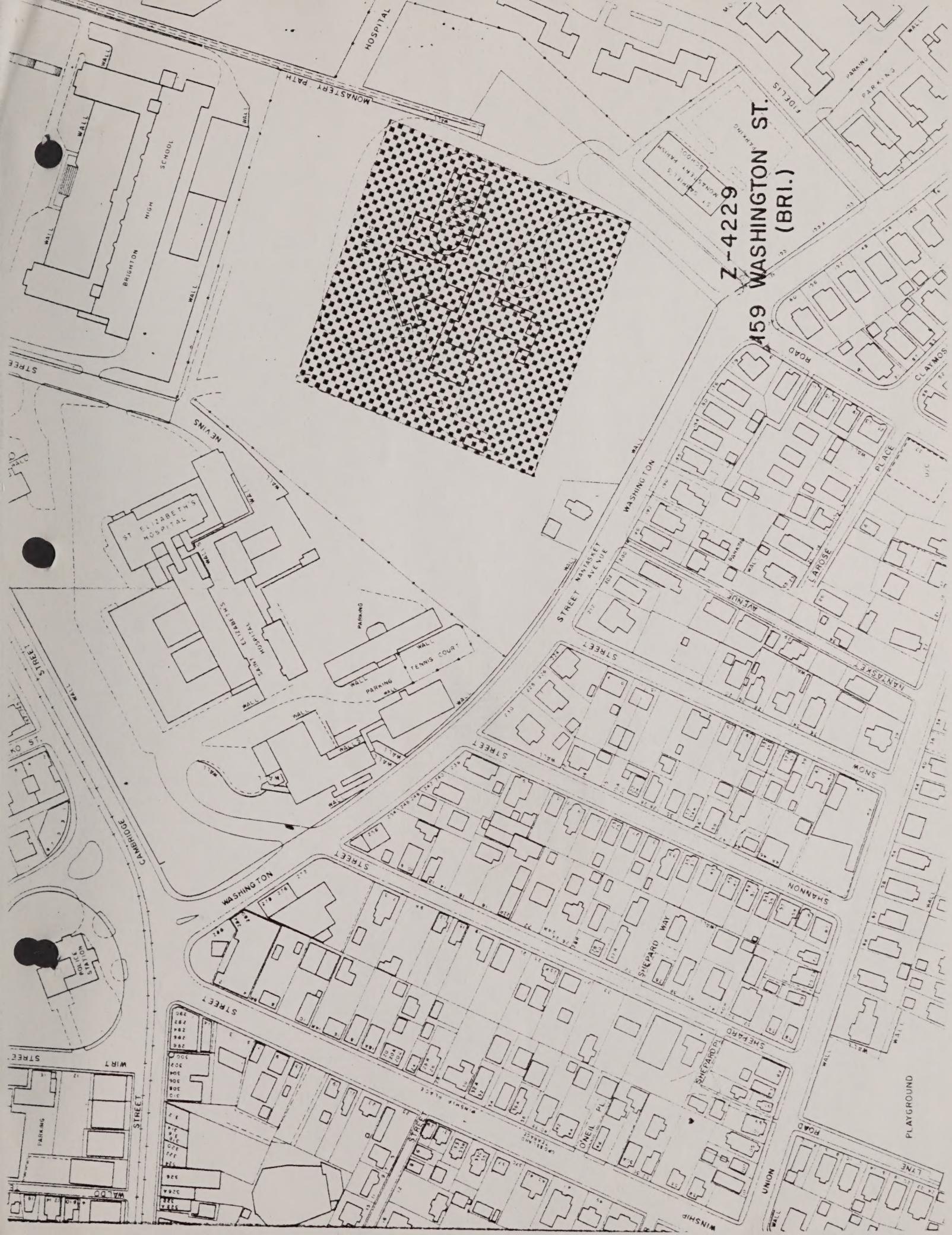
<u>Section</u>	<u>Required</u>	<u>Proposed</u>
8-7. Dormitory is conditional in R-.5 and H-2 districts.		
23-1. Off-street parking not provided on site.		

Students from Boston College would occupy proposed dormitories and would not be allowed to bring automobiles on site or on BC campus. However, community is concerned and upset because it was not consulted by Boston College. Recommend denial as submitted.

VOTED: In reference to Petition Z-4229, brought by Passionist Missionary Society of Boston, Inc., 159 Washington Street, Brighton, for a conditional use and a variance for change of occupancy from monastery and rectory to university dormitories for 150 students in residential (R-.5) and apartment (H-2) districts, the Boston Redevelopment Authority recommends denial as submitted. Community is concerned and upset because it was not consulted. Boston College should meet with community and resolve any differences.

Z-4229

WASHINGTON ST.
(B.R.I.)



Board of Appeal Referrals 8/17/78

Hearing: 10/17/78

Z-4237

Benjamin S. Blake III
476 Shawmut Avenue, Boston
near West Concord Street

Five-story structure

District(s): apartment H-2 general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: to change occupancy from eight apartments and store to
five apartments and store.

Violation(s):

<u>Section</u>	<u>Required</u>	<u>Proposed</u>
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8-7. Retail store is forbidden in an H-2
district.

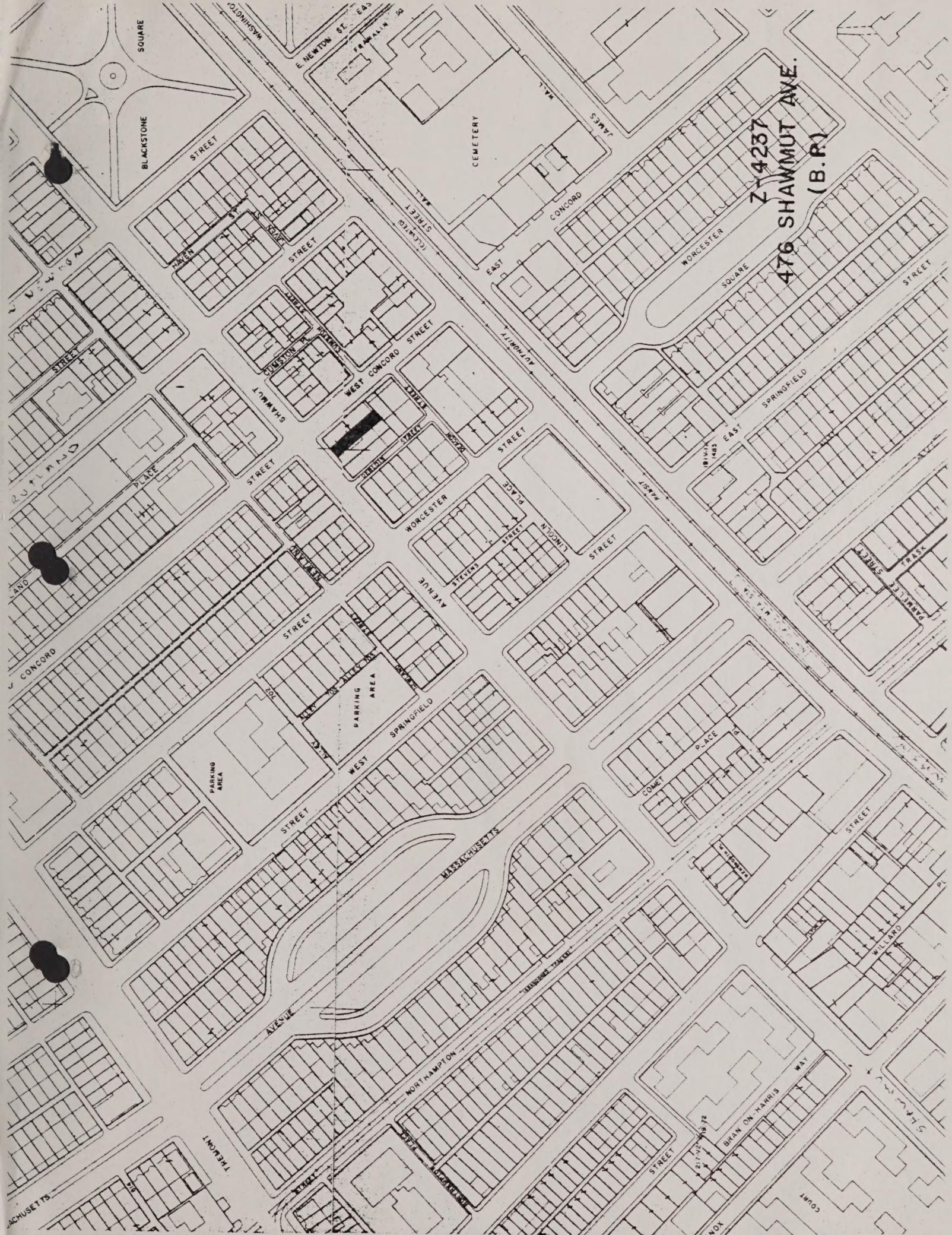
Petitioner purchased abandoned structure at City auction. Proposed
residential-commercial occupancy will be consistent with surrounding
properties. Community and Little City Hall have no objections.

Recommend approval.

VOTED: In reference to Petition Z-4237, brought by
Benjamin S. Blake III, 476 Shawmut Avenue, Boston,
for a forbidden use for a change of occupancy
from eight apartments and store to five apart-
ments and store in an apartment (H-2) district,
the Boston Redevelopment Authority recommends
approval. Proposed residential-commercial
occupancy will be consistent with surrounding
properties. Community and Little City Hall
have no objections.

Z-4287
476 SHAWMUT AVE.
(B.R.)

Z-4237
HAWMUT AVE.
(B. B.)



Board of Appeal Referrals 8/17/78

Hearing: 8/29/78

Z-4238-4240

Trustees of Bay Colony Property Co.

Trustees of Carlton House Trust

2-4-6-8-10 Commonwealth Avenue,

14-15 Arlington and 1-5 Newbury Streets,
and 4-6 Newbury Street, Boston

Eighteen-story hotel structure

District(s): apartment H-5
residential _____
single family _____general business B-8 industrial _____
local business B-4-70 waterfront _____
manufacturing _____

Purpose: to erect 18-story hotel-apartment structure; to erect 6-story bridge structure between proposed and existing hotel structure; to erect 6-story parking garage and retail structure.

Violation(s):

<u>Section</u>		<u>Required</u>	<u>Proposed</u>
8-7.	Hotel and accessory uses are conditional in an H-5 district.		
8-7.	Ancillary parking garage is conditional in B-4-70 district.		
15-1.	Floor area ratio is excessive.	6	11
16-6.	Height of building is excessive.	155/185 ft.	155/189 ft.
18-1.	Structure over five feet not allowed in required front yard.		
19-1.	Side yard is insufficient.	10 ft.	0
19-6.	Side yard is insufficient.	10 ft.	0
20-1.	Rear yard is insufficient.	30 ft.	0
21-1.	Setback of parapet is insufficient.	34 ft.	28 ft.
23-1.	Off-street parking must be located on same lot as main use.		

Proposed 18-story structure will contain 80 hotel rooms and 52 condominium apartment units with basement parking garage, 50 spaces, for apartment residents. Second-floor span of bridge will provide space for expansion of kitchen and housekeeping facilities. Six-level mechanical parking garage will accommodate 130 vehicles replacing 49-space open air parking site on Newbury Street opposite existing hotel. Small retail unit would occupy part of ground floor. Design has been approved by Back Bay Architectural Commission. Recommend approval with proviso.

Z-4238-4240 - continued

VOTED: In reference to Petitions Z-4238-4240, brought by the Trustees of Bay Colony Property Co. and the Trustees of Carlton House Trust, 2-10 Commonwealth Avenue, 14-15 Arlington and 1-5 Newbury Streets, and 4-6 Newbury Street, Boston, for two conditional uses and thirteen variances to erect an eighteen-story hotel-apartment structure, to erect a six-story bridge structure, and to erect a six-story parking garage and retail structure in apartment (H-5) and general business (B-8 and B-4-70) districts, the Boston Redevelopment Authority hereby approves the exterior design of the building, in accordance with the City of Boston Code, Ordinance 7, Section 109, and recommends approval of the petitions provided final plans are submitted to the Authority for design review. Proposal will be consistent in size and scale with existing hotel. Design has been approved by the Back Bay Architectural Commission.

